



COMMONWEALTH OF MASSACHUSETTS
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IAN A. BOWLES
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LAURIE BURT
Commissioner

November 15, 2007

In the Matter of

Kevin Sousa

Docket No. 2007-156
DEP File No. W03-0693/Draft License
Onset Bay, Wareham

RECOMMENDED FINAL DECISION

On October 26, 2007, an Order to File a More Definite Statement was issued to petitioner requiring him, individually and as the representative of a purported ten citizen group, to correct multiple deficiencies in his claim on or before November 5, 2007. The petitioner has not filed any response to the Order. Therefore, I recommend that the appeal be dismissed for lack of prosecution (310 CMR 1.01(5)(a)(15) vi and as a sanction pursuant to 310 CMR 1.01(10)(e).

NOTICE

This decision is a Recommended Final Decision of the Presiding Officer. It has been transmitted to the Commissioner for her Final Decision in this matter. This decision is therefore not a Final Decision subject to reconsideration under 310 CMR 1.01(14)(e), and may not be



appealed to Superior Court pursuant to M.G.L. c. 30A. The Commissioner's Final Decision is subject to rights of reconsideration and court appeal and will contain a notice to that effect.

Because this matter has now been transmitted to the Commissioner, no party shall file a motion to renew or reargue this Recommended Final Decision or any part of it, and no party shall communicate with the Commissioner's office regarding this decision unless the Commissioner, in her sole discretion, directs otherwise.

This final document copy is being provided to you electronically by the
Department of Environmental Protection. A signed copy of this document
is on file at the DEP office listed on the letterhead.

Philip Weinberg
Presiding Officer